THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.446 OF 2006

Dated: 31-01-2006

Between

Maddipati Veera Raju, S/o. Venkanna,

Occ: Agriculturist, R/o. Chandravaram,

Chagallu Mandal, West Godavari

District and others.

...PETITIONERS

AND

A.P.E.P.D.C. Ltd., Rep. by its Divisional

Engineer, Nidadavole, West Godavari

District and others.

...RESPONDENTS

ORDER:

Heard the learned counsel appearing for the petitioners as well as the learned counsel for the respondents.

Learned counsel for the petitioners submits that the joint family properties of which the first petitioner, who is the kartha of the Hindu Undivided Family, were partitioned in 1981 and the properties were divided among the petitioners. The first petitioner is the father of the petitioners 2 to 4; petitioners 2 and 4 are the sons and the third petitioner is the daughter of

the first petitioner. The learned counsel further submits that certain service connections have been obtained in respect of the agricultural lands of the petitioners. The S.C.Nos.114 and 335 are situated in the lands of the second petitioner,
the S.C.Nos.169 and 213 are situated in the land fallen to the share of the fourth petitioner and S.C.No.101 is situated in the lands fallen to the share of the third petitioner and no service connection is allotted in favour of the first petitioner. The learned counsel further submits that the pattadar passbooks and title deeds have also been issued in respect of the partitioned properties but all the service connections are standing in the name of the first petitioner in spite of the partition of the properties.

As per the guidelines issued for the free supply of electricity one should not be an income tax assessee and shall not have more than three connections. As more than three connections are standing in the name of the first petitioner, the respondents have issued a demand notice dated 21.12.2005 for payment of electricity charges.

Learned counsel for the petitioners further submits that the petitioners have submitted applications for transfer of service connections in the prescribed proforma fulfilling all the terms and conditions by executing the indemnity bond, consent letter of transfer, undertaking and also deposited the necessary transfer fee on 20.01.2006.

Having regard to the facts and circumstances of the case,
the second respondent is directed to consider and dispose the said transfer applications dated 20.01.2006 filed by the petitioners 2, 3 and 4 for transfer of service connections from the name of their father, the first petitioner, to their names and till then no coercive steps for disconnecting the supply of electricity to the said service connections may be taken.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

January 31, 2006

DSK